



TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY

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Part IV—Section 2

Tamil Nadu Acts and Ordinances

The following Ordinance which was promulgated by the Governor on the 29th June 2022 is hereby published for general information:—

TAMIL NADU ORDINANCE No. 2 OF 2022.

An Ordinance further to amend the Tamil Nadu District Municipalities Act, 1920.

WHEREAS the Legislative Assembly of the State is not in session and the Governor of Tamil Nadu is satisfied that circumstances exist which render it necessary for him to take immediate action for the purposes hereinafter appearing;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution, the Governor hereby promulgates the following Ordinance:—

1. (1) This Ordinance may be called the Tamil Nadu District Municipalities (Amendment) Ordinance, 2022. Short title and commencement.

(2) It shall come into force at once.

Tamil Nadu Act
V of 1920.

2. After section 3-U of the Tamil Nadu District Municipalities Act, 1920, the following section shall be inserted, namely:— Insertion of new section 3-UU.

“3-UU. Appointment of Special Officer to Town Panchayat in certain circumstances.— (1) Notwithstanding anything contained in this Act, or in any other law for the time being in force, in respect of Kadambur Town Panchayat, which could not be constituted on the 1st day of July 2022, even after resorting to election process, the State Government may, by notification, appoint a special officer to exercise the powers and discharge the functions of the said town panchayat, until the day on which the first meeting of the council is held after ordinary election to that town panchayat or upto the 31st day of December 2022, whichever is earlier.”.

29th June 2022.

R.N. RAVI,
Governor of Tamil Nadu.

EXPLANATORY STATEMENT

The Special Officers to the Town Panchayats, Municipalities and Municipal Corporations were appointed in pursuance of the orders of the Hon'ble High Court of Madras in W.P.No. 33984 of 2016, dated the 4th October 2016. The term of office of the said Special Officers of the Town Panchayats, Municipalities and Municipal Corporations was extended from time to time and lastly upto the 30th June 2022.

2. Subsequently, Ordinary Elections to all the Urban Local Bodies in the State, namely, 21 City Municipal Corporations, 110 Municipalities and 490 Town Panchayats, was notified to be held on 19.02.2022 and elections were held to all the said local bodies except to Kadambur Town Panchayat in Thoothukudi District.

3. The Tamil Nadu State Election Commission has brought to the notice of the Government that, it has cancelled the election proceedings in respect of all the Wards of the Kadambur Town Panchayat in Thoothukudi district, due to non-compliance of the provisions of the Tamil Nadu Town Panchayats, Municipalities and Corporations (Elections) Rules, 2006 by the Returning and Assistant Returning Officers on the day of scrutiny of nominations on 5.2.2022. Further, the High Court of Madras in Writ Petitions (MD) Nos. 3131, 3132 and 3133 of 2022 by order dated 27.04.2022 has restrained the Commission and the other respondents from holding election to the post of Ward Members of the said Town Panchayat till 14.06.2022.

4. In view of the orders of the Hon'ble High Court, the Tamil Nadu State Election Commission is not in a position to conduct election to the post of Ward Members of Kadambur Town Panchayat in Thoothukudi district before 30.6.2022, the date on which, the term of Special Officer of the said Kadambur Town Panchayat expires.

5. In the said circumstance, the Government have decided to extend the term of the Special Officer in respect of Kadambur Town Panchayat in Thoothukudi District for a further period of six months from 01.07.2022 to 31.12.2022 or until the day on which the first meeting of the Council is held after the ordinary election to the said Town Panchayat, whichever is earlier, by suitably amending the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920).

6. The Ordinance seeks to give effect to the above decision.

(By Order of the Governor)

C. GOPI RAVIKUMAR,
*Secretary to Government (Legislation),
Law Department.*